

REMARKS

The office action of July 23, 2009, has been carefully considered.

It is noted that claim 19 is rejected under 35 U.S.C. 101.

Claims 13 and 19 are rejected under 35 U.S.C. 112, first paragraph.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1, 3-6, 10, 11 and 15 are rejected under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) over JP 50069193.

Claims 1, 3-6, 8-11 and 15 are rejected under 35 U.S.C. 103(a) over JP 50069193.

Claims 1-7, 10, 11, 15, 16 and 19 are rejected under 35 U.S.C. 103(a) over JP 50069193 in view of the patent to Schink et al.

Claims 1, 3-6 and 10-16 are rejected under 35 U.S.C. 103(a) over JP 50069193 in view of the patent to Rao et al.

In view of the Examiner's rejections of the claims, applicant has canceled claims 2-9 and 15-18, amended claims 1, 11, 13 and 19, and added new claim 20.

With the amendment of claim 19 it is respectfully submitted that the rejection of this claim under 35 U.S.C. 101 is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file contain subject matter which is sufficiently described in the specification so as to enable one skilled in the art to make and/or use the invention. Applicant has amended claims 13 and 19 to address the points raised by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 13 and 19 under 35 U.S.C. 112, first paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file

particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-19 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the compositions disclosed in the references.

Turning now to the references, JP '193 does not disclose or suggest a coating having a binder as recited in amended claim 1 now on file. The present invention has the objective of providing a low-viscosity, air-drying coating varnish. JP '193 does not air dry, but rather requires heating for 20 minutes at 150°C. Thus, JP '193 teaches away from the presently claimed invention. JP '193 also does not teach tolylenediisocyanate as a modifier.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 3-6, 10, 11 and 15 under 35 U.S.C.

102(b) or, in the alternative, under 35 U.S.C. 103(a), and the rejection of claims 1, 3-6, 8-11 and 15 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

The patent to Rao et al. discloses non-aqueous dispersions. The Examiner combined Rao et al. with JP '193 in determining that claims 1, 3-6 and 10-16 are unpatentable over such a combination. Applicant submits that this combination of references does not teach a coating composition having a binder as recited in amended claim 1. There is also no teaching of a modifier as presently recited in the claims.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 3-6 and 10-16 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

The patent to Schink et al. discloses a wire coating composition. Schink et al. do not teach a composition having alkyd resins synthesized from drying fatty acids. Furthermore, the composition of Schink et al. is hardened at more than 100°C. Thus, an air-drying, as in the present invention, is not under

consideration by Schink et al.

The Examiner combined Schink et al. with JP '193 in determining that claims 1-7, 10, 11, 15, 16 and 19 would be unpatentable over such a combination. Applicant respectfully submits that neither of these references, nor their combination, teach a wire coating composition as recited in amended claim 1 now on file. Since neither of the references teach an air-drying composition, their combination can also not teach such a composition. Since both references require heating, it would not be obvious from these references to find any teachings concerning an air-drying composition for a coating, as recited in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-7, 10, 11, 15, 16 and 19 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in

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connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on November 23, 2009.

By:



Klaus P. Stoffel

Date: November 23, 2009